

REMARKS/ARGUMENTS

Prior to the entry of this Amendment, claims 1-49 were pending in this application. Claims 7, 8, 12, 19-21, 25, 27, 31, 33, 35, 38, 39, 42, 47, and 48 have been amended herein to correct typographical errors and other formal matters, some of which were unintentionally introduced in the previous Amendment filed June 21, 2005. No claims have been added or canceled. Therefore, claims 1-49 remain pending in this application. Applicants respectfully submit that amendments presented herein are made only to correct formal matters and to place the claims in better form for appeal. Therefore, Applicants request entry of the amendments and reconsideration of these claims for at least the reasons presented below.

35 U.S.C. § 102 Rejections:

Claims 1-49 have been rejected under 35 U.S.C. § 102 (e) as being unpatentable over Stolfo et al., U.S. Patent Application No. 2004/000293 (hereinafter "Stolfo"). The Applicant respectfully submits the following arguments pointing out significant differences between claims 1-49 submitted by the Applicant and Stolfo.

As discussed previously, Stolfo is directed to "transactions over a communications network between first and second parties . . . while securing private and personal information specific to the first party or the network device used by the first party with respect to the second party." (page 1, para. 1, lines 1-7) Under Stolfo, communications and/or transactions can be carried out between a user or first party, typically a consumer, and a second party, typically a merchant, over a communication network in which information is provided and/or a good is ordered while securing such information of the first party with respect to at least the second party. (page 4, para. 43) "A user or first party may communicate over the network with a second party, using a proxy that anonymizing (i.e., making anonymous) the first party with regard to the second party. (page 4, para. 47, lines 10-11) In other words, the proxy of Stolfo acts as a middleman that hides the identity of the first party from the second party by

filtering private information sent by the first party. (page 16, para. 184 and para. 187) However, Stolfo does not disclose associating a first entity with credentials of a second entity and allowing the first entity to access a system as the second entity. Stolfo does not even mention an identity system. The nearest Stolfo comes to discussing an identity system, as defined in the detailed description of the pending application and consistent with common usage, are the systems used for approving or disapproving the first party's payment as summarized in paragraphs 58-62. However, in this case, the proxy simply passes along the first party's information for verification or approval rather than being associated with credentials of that party and accessing the system as that party. Furthermore, neither this system nor the second system (the merchant system) of Stolfo, receives a request from the first system or the proxy to allow the first system to be represented by the proxy.

Claim 1, upon which claims 2-23 depend, is directed to a method for allowing proxies in an Identity System. Claim 24, upon which claims 25-31 depend is directed to a processor storage device having code for programming a processor to perform a method. Claim 32, upon which claims 33-39 depend, is directed to an apparatus that allows for proxies in an Identity System. Claims 1, 24, and 32 each recite in part "receiving a request for a first entity to be a proxy for a second entity; associating said first entity with one or more credentials of said second entity without authenticating said first entity as said second entity; and allowing said first entity to use said Identity System as said second entity based on said one or more credentials of said second entity." Stolfo does not disclose receiving a request for a first entity to be a proxy for a second entity, associating the first entity with credentials of the second entity, and allowing the first entity to access a system as, i.e., assume the role of, the second entity. Rather, Stolfo teaches anonymizing the first party with regard to the second party by filtering private information from the first party. Furthermore, Stolfo does not relate to or even mention an identity system. For at least these reasons, claims 1-39 are distinguishable from Stolfo and should be allowed.


Claim 40, upon which claims 41-44 depend are directed to a method for allowing proxies in a system. Claim 45, upon which claims 46-49 depend, is directed to a processor storage device having code for programming a processor to perform a method. Both claim 40 and 45 recite in part "receiving an indication that a first entity can be a proxy for a second entity, said indication is from said second entity; receiving an indication from said first entity to become said proxy for said second entity; associating said first entity with one or more credentials of said second entity without authenticating said first entity as said second entity; and allowing said first entity to use said system as said second entity based on said one or more credentials of said second entity." Stolfo does not disclose receiving an indication that a first entity can be a proxy for a second entity, receiving an indication from the first entity to become said proxy for the second entity, associating the first entity with credentials of the second entity, and allowing the first entity to use a system as the second entity. Rather, Stolfo teaches anonymizing the first party with regard to the second party. For at least these reasons, claims 40-49 are distinguishable from Stolfo and should be allowed.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,


William J. Daley
Reg. No. 52,471

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 303-571-4321
WJD:sbm
60598359 v1